FINANCIAL SECRETARIAT

NOTIFICATION.

No. Fl. (B) 8119—C. R. 1-52-15, dated 21st October 1952.

In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India, His Highness the Rajpramukh of Mysore is pleased to make the following further amendments to the Mysore Service Regulations, namely :—

In the said Regulations,—

1. In Article 26, Rule 6 shall be omitted.

2. In Article 36, after clause No. (11), the following clause shall be added, namely :—

"(12) Lecturers in Sanskrit appointed in the University of Mysore to 40 years."

3. In Article 101, for Note 2, the following note shall be substituted, namely :—

"*Note 2.*—On days when an Educational Institution is held in the mornings only and so long as Government Offices continue to work in the mornings between 8 A.M. and 12 NOON on all Saturdays, the officer who is expected to join duty on the forenoon of that day should do so as soon as the Institution or office commences work. The officer who is relieved on such days after the day's work is over should be treated as having been relieved on the afternoon, even though he is relieved before NOON."

4. (1) For clause (*b*) of Article 117, the following clause shall be substituted, namely :—

"(*b*) (1) When an officer who has been dismissed, removed, or suspended is reinstated, the authority competent to order the reinstatement shall consider and make a specific order—

(i) regarding the pay and allowances to be paid to the officer for the period of his absence from duty ; and

(ii) whether or not the said period shall be treated as a period on duty.

(2) Where such competent authority holds that the officer has been fully exonerated or, in the case of suspension, that it was wholly unjustified, the officer shall be given the full pay to which he would have been entitled had he not been dismissed, removed or suspended, as the case may be, together with any allowances of which he was in receipt prior to his dismissal, removal or suspension.

(3) In cases other than those falling under sub-clause (2), the officer shall be given such proportion of such pay and allowances as such competent authority may specify :

Provided that the payment of allowances under sub-clause (2), or sub-clause (3) shall be subject to all other conditions under which such allowances are admissible.

(4) In a case falling under sub-clause (2), the period of absence from duty shall be treated as a period spent on duty for all purposes.

(5) In a case falling under sub-clause (3), the period of absence from duty shall not be treated as a period spent on duty, unless such competent authority specifically directs that it shall be so treated for any specified purpose."

(2) In clause (*c*) for the words "or clause (*b*)" substitute the words "or clause (*b*) (3)."

5. For Article 118, the following Article shall be substituted, namely :—

"118 (*a*) An officer against whom proceedings have been taken either for his arrest for debt or on a criminal charge or who is detained under any law providing for preventive detention, should be considered as under suspension for any periods during which he is detained in custody or is undergoing imprisonment and not allowed to draw any pay and allowances (other than any subsistence allowance that may be granted in accordance with the principles laid down in Article 117) for such periods until the termination of the proceedings taken against him or until he is released from detention and allowed to rejoin duty, as the case may be. An adjustment of his allowances for such periods should thereafter be made according to the circumstances of the case, the full amount being given only in the event of the officer being acquitted of the blame or (if the proceedings taken against him were for his arrest for debt) of its being proved that the officer's liability arose from circumstances beyond his control. In cases where the arrest is for detention under a law providing for preventive detention, the full amount of allowances for the period of detention shall be given only when such detention is held by any competent authority to be unjustified, but not otherwise.

(*b*) An officer against whom a criminal charge or a proceeding for arrest for debt is pending, should also be placed under suspension by the issue of specific orders to this effect during periods when he is not actually detained in custody or imprisoned (*i.e.*, whilst released on bail), if the charge made or proceeding taken against him is connected with his position as a Government servant or is likely to embarrass him in the discharge of his duties as such or involves moral turpitude. The pay and allowances of such officer shall be governed by the provisions of clause (*a*)."

6. Clause (*b*) of Article 134 shall be omitted and clause (*a*) of Article 134 shall be renumbered as Article 134, and in the Article as so renumbered, for the words "privilege leave," the words "privilege or furlough leave" shall be substituted.

7. After clause (*b*) of Article 147, the following "Explanation" shall be inserted, namely :—

"*Explanation* :—While the amount of leave refused under clause (*a*) is fixed, the quality of that leave (*i.e.*, privilege leave, leave on average

salary or leave on half average salary) whether it is taken before or after the date of retirement or after the date of final cessation of duties, may be varied within the normal leave rules to the advantage of the officer concerned in accordance with the leave earned and standing to his credit on the date on which he proceeds on leave prior to the date of retirement whenever he takes a portion of his refused leave before that date and ultimately on the date of his retirement, and no second application for leave in sufficient time and its refusal are necessary merely to ensure this variation. Similarly, the character of any period of leave, whether privilege leave, furlough on average salary, or on half average salary admissible under clause (*a*), may, if the officer so desires, be converted within the quantum admissible into a portion on privilege leave and furlough on average salary and the balance on half average salary. No such conversion, however, is admissible in respect of the privilege leave earned under clause (*b*) of this Article."

8. Note 3 to Article 196 shall be omitted.

9. The following paragraph shall be added to Note 2 to Article 202, namely:—

"The extraordinary leave shall be granted only to those temporary officers who have been in continuous Government service for a period exceeding one year."

10. In clause (v) of Article 209 after the word 'prefixed" the words "or suffixed" shall be inserted.

11. Add the following as Exceptions Nos. 6 and 7 to Article 255, namely:—

"*Exception* 6.—The service rendered as Drivers of Propaganda vans of the Rural Development Department is to be treated as Superior and that of the Cleaners as Inferior.

"*Exception* 7.—The services of Drivers of Government cars are treated as belonging to Superior Service."

12. The following sub-paragraph shall be added to Article 262, namely:—

"A teacher working in a Village Aided Primary School getting into Government service either by the school being taken over by the Government or by his securing an appointment according to the rules of recruitment shall count one-fourth of his service in the aided school not exceeding three years for pension or gratuity, after he enters Government service."

13. After Note 4 to Article 272, the following note shall be added, namely:—

"*Note* 5.—Since the grant of a compassionate allowance under Article 223 is itself an act of grace, the grant of any further concession in the shape of condonation of deficiency is not admissible."

14. The following note shall be added to Article 307, namely:—

"*Note.*—The University teachers who attain the age of superannuation during and after the Dasara Holidays will remain in service

till the end of the academic year, without the addition of summer vacation, subject to the condition that the work of the University teacher whose term will be extended is otherwise satisfactory."

15. The following sub-paragraphs shall be added below the last sub-paragraph of Article 308 (*d*), namely :—

"President, Kolar Gold Fields Sanitary Board, in respect of the K.G.F. Sanitary Board.

President, Hindusthan Aircraft Sanitary Board, in respect of the Hindusthan Aircraft Sanitary Board."

"Chairmen, City Improvement Trust Boards, Mysore and Bangalore, in respect of the respective Trust Boards."

"The Secretary to Government, Home Department, who is the Secretary to the Central Board of Indian Medicine, Bangalore, is empowered to retire non-gazetted staff of the Government Ayurvedic and Unani College and Hospital, Mysore, and the Sri Jayachamarajendra Institute of Indian Medicine, Bangalore, as also to sanction Compassionate Gratuity when the amount does not exceed Rs. 1,000."

16. The following shall be substituted for the existing note under Article 308 (*d*) which shall be omitted, namely:—

"*Note.*—The powers delegated to the Heads of Departments under this Article as also under Exception to Article 430 (*b*) are also delegated to the authorities specified below in respect of the non-gazetted Officers who are directly recruited in the local bodies concerned and for whom pension contributions are paid :—

Presidents of the District Boards, in respect of the District Boards;

Deputy Commissioners, in respect of the Town Municipalities;

Commissioners, in respect of the Bangalore City Municipal Corporation and the Mysore City Municipal Council."

17. The following note shall be added after Note 4 to Article 408 (*d*) :—

"*Note* 5.—Deputy Commissioners of Districts are empowered to grant privilege leave to Amildars up to a limit of one month in cases where no separate acting arrangements are required, local arrangements being made by placing the Taluk Sheristedars in charge of the current duties of the Amildars under Article 63."

18. (1) In Article 430 (1), for the Exception, the following Exception, shall be substituted, namely :—

Exception.—The power of sanctioning pensions (including Service Gratuity) in respect of non-gazetted officers is delegated to the Heads of Departments specified in Appendices 'O' and 'R' and the Heads of Departments shall, while forwarding the pension papers to the Accountant-General, record their sanction as under :—

"Pension admissible under the rules is sanctioned subject to eligibility after verification.

The Accountant-General will verify and authorise the amount admissible."

In cases where District Officers are permitted to forward pension papers direct to the Accountant-General they should take steps simultaneously

to address the Heads of Departments concerned to communicate to the Accountant-General their sanction to the pensions in question as above."

(2) The following notes shall be added, namely :—

"*Note* 1.—The sanctions accorded by the Heads of Departments, subject to certificate of eligibility by audit is to be treated as provisional and a provisional payment order will be issued by the Accountant-General.

A formal certificate and report has to be sent from the Accountant-General to the sanctioning authority.

The sanctioning authority should then sanction the pension finally and communicate a copy of the sanction to the Accountant-General for issue of the final pension payment order."

"*Note* 2.—Whenever there is no Head of Department authorised to sanction pensions in respect of any officer the sanction by the Secretary to Government in the Administrative Department may be considered sufficient in such case."

19. The following note shall be added to Article 472, namely :—

"*Note.*—The provisions of this Article apply for the regulation of payment of conveyance allowances also."

20. In clause (1) of Article 475, sub-clauses (*a*) and (*b*) shall be relettered as sub-clauses (*b*) and (*c*) respectively and the following clause shall be inserted before the clauses as so lettered, namely :—

"(*a*) If he returns to his headquarters on the same day, daily allowance, if admissible, will be calculated as follows :—

If the absence from headquarters does not exceed six hours	...	Nil.
If the absence from headquarters exceeds six hours, but does not exceed twelve hours	...	Half the daily allowance.
If the absence from headquarters exceeds twelve hours	...	Full daily allowance.

Note.—The cumulative absence from headquarters will be taken into consideration in regulating the daily allowance."

21. (1) The column Railway Accommodation in the table annexed to Article 479 shall be omitted and the following table shall be inserted after the said table, namely :—

		Railway Accommodation.
"1.	Officers whose salary is Rs. 600 or more ...	I Class.
2.	Officers whose salary is Rs. 300 or more, but is less than Rs. 600	II Class.
3.	Officers whose salary is Rs. 150 or more, but is less than Rs. 300	Inter Class.
4.	All Other Officers	III Class.'

(2) The existing exception shall be renumbered as Exception 1, and after the exception as so renumbered, the following exceptions shall be inserted, namely :—

"*Exception* 2.—Officers in superior service borne on a Minister's Establishment (other than Attenders) will be entitled to one II Class railway fare for the journey *plus* half the

railway fare of the Class by which they are entitled to travel under the Rules, whenever they accompany the Ministers on duty to places outside the State.

Exception 3.—Officers in superior service borne on a Minister's Establishment and doing duties as Personal Assistants who are not entitled to travel in II Class by virtue of their salary are permitted to travel in II Class whenever they accompany the Ministers on duty within the State and to claim a single II Class fare *plus* the incidental fare (equal to one half of the fare of the class by which they are ordinarily entitled to travel).

Exception 4.—The staff (both officials and menials) borne on the Establishment of the Ministers will be entitled to the following travelling allowances whenever they travel in the cars of the Ministers :—

Places connected by Rail or Bus.—Usual Travelling Allowance admissible if they had travelled by Rail or Bus less single Railway or Bus fare as the case may be.

Places unconnected by Rail or Bus.—Daily Allowance only which is ordinarily admissible under Article 499.

Exception 5.—Sub-Assistant Conservators of Forests placed in charge of Forest Divisions are permitted to travel in II Class even though the salary drawn by them when placed in charge of Forest Divisions is less than Rs. 300 (Rupees three hundred only) per month."

(3) The following notes shall be added after Note 2 to Article 479, namely Notes 3 and 4 :—

"*Note* 3.—The enhanced rates of Daily Allowance and mileage allowance at 33 1/3 per cent of the rates in respect of officers of Government and non-official members of the committees and other Public Bodies constituted by Government shall be continued for a further period of one year from 1st April 1952 or such further period as may be specified by Government from time to time.

Note 4.—With effect from the 1st April 1952, for journeys and halts within the State in respect of the places specified in column (1), mininum daily allowances specified opposite to them in column 2 shall be granted for halts in those places : --

1	2
Name of place	*Minimum Daily allowance*
	Rs. a. p.
(*a*) Bangalore, Mysore, Kolar Gold Fields and Davangere.	1 4 0 per day.
(*b*) District Headquarters ...	... 1 0 0 per day.
(*c*) Other places ...	... 0 12 0 per day."

22. For Article 499, the following Article shall be substituted, namely :—

"499.—When two or more officers travel on duty by the same conveyance, they will not all be permitted to draw full mileage for the journey, but only one of them may exchange daily allowance for full mileage, the rest drawing only daily allowance under sub-clause (*b*) of clause (1) under Article 475.

But mileage will be allowed if in any case an officer has the necessity to and does take his conveyance also, though he is provided with a seat in another's conveyance or Government conveyance and gives the certificate in that behalf in the Travelling Allowance Bill."

23. The following shall be added as a note to Article 501, namely :—

"*Note.*—The following rates of Travelling Allowance shall be applicable to all officers travelling on Government duty, *viz.*—

(i) *Journey by Rail.*—One and half times the fare of the class admissible.

(ii) *Journey by Bus (between places whether connected by Railway or not).*—One and half times bus fare *plus* daily allowance, provided the distance travelled by bus is not less than 20 miles, in which case only 1½ bus fares. This is exclusive of any daily allowance which may be allowed when the destination is reached before NOON.

(iii) *Journeys on transfer.*—Three times mileage rate.

(iv) Mileage will be allowed from Public Offices to Bus Stand.

The concession given in (ii) above is limited to cases wherein the journey is between places not connected by railway.

Daily allowance is not admissible to an officer leaving the place in the afternoon.

The distinction between a bus journey of less than 20 miles and not less than 20 miles will, however, continue for purposes of regulating payment of daily allowance in addition to bus fare."

24. After Article 501, the following Heading and Article shall be inserted :—

"TRAVELLING ALLOWANCE TO OFFICERS PROCEEDING ON DUTY TO PLACES OUTSIDE THE STATE.

501-A. —The following rates of Travelling Allowance shall be in force for a period of one year from 1st April 1952 or for such further periods as may be specified by Government from time to time.

1. *Railway Fare.*—As admissible under the Mysore Service Regulations.

2. *Daily Allowance.*—

Class of Officers.	*Rate*	*Place of halt*
(*a*) (i) Officers whose salary is Rs. 250 and above.	Two and a half times the daily allowance admissible under the Mysore Service Regulations subject to a minimum of Rs. 10.	Bombay, Delhi, Calcutta, Madras and Simla.
(ii) Officers whose salary is above Rs. 100 and below Rs. 250.	Two and a half times the daily allowance admissible under the Mysore Service Regulations subject to a minimum of Rs. 6.	
(iii) Other Officers	Two and a half times the daily allowance admissible under the Mysore Service Regulations subject to a minimum of Rs. 4.	
(iv) All officers in inferior service.	Two and a half times the daily allowance admissible under the Mysore Service Regulations subject to a minimum of Rs. 3.	
All officers in superior and inferior service.	One and a half times the daily allowance admissible under the Mysore Service Regulations subject to a minimum of Rs. 1-12-0.	Places other than Bombay, Delhi, Calcutta, Madras and Simla."

25. In Article 530, in clause (*b*), the words " other than that referred to in clause (*e*) *infra* " shall be inserted after the words " privilege leave " occurring in line 2.

In clause (*d*) the words " The Assistant Superintendent of Lines of the Electrical Department " shall be added to the list as serial No. 12.

The following clause shall be added below clause (*d*), namely :—

" (*e*) It is not admissible during the leave, either privilege or furlough, taken preparatory to retirement or when an officer is asked to take leave pending enquiries against him."

26. After Article 563, the following Article shall be inserted, namely :—

" 563-A. An officer in service who is treated as State Guest, *i.e.*, when he is provided with free board and lodging at the expense of the Government of the State visited, while on tour, will be allowed only one-fourth of the daily allowance admissible to him at the station concerned.

In case of deputation abroad also when an officer is treated as State Guest, the daily allowance will be limited to one-fourth of the normal rate admissible.

The officer who is so treated as a State Guest should indicate the fact in his Travelling Allowance Bill for the information of the Countersigning Authority and the Audit Officer.

Note 1.—This rule is also applicable in cases where free boarding and lodging are provided by Government Industrial Concerns.

Note 2.—The officers referred to above may draw daily allowance at one-half of the admissible rate if only board or lodging is provided free.

Note 3.—An officer will be entitled to the daily allowance at one-fourth of the admissible rate when provided with free board and lodging or at one-half of the admissible rate when provided with either free board or free lodging by the Industrial Concerns."

27. The Exception to Article 565 shall be renumbered as " Exception 1 " and after the Exception as so renumbered, the following Exception shall be inserted, namely :—

" *Exception* 2.—Travelling Allowance Bills of the Private Secretary to the Chief Minister and of the establishment of the Chief Minister will not require the countersignature of any controlling authority.

Exception 3.—The Headquarters Assistant to the Commissioner of Settlement and Land Records is authorised to draw the Travelling Allowance Bills of the Office of the Superintendent of Land Records in Mysore, without countersignature of any controlling authority. This delegation of power is extended to Establishment, Contingent and other bills also of the office."

28. For Article 567, the following Article shall be substituted, namely:—

"567.—In the case of journeys on tour, the Travelling Allowance Bills of the Head of the Office as well as of his Establishment including his Gazetted Assistants should be drawn in two separate bills, one for the Gazetted Officers and another for the Non-Gazetted Establishment, at the end of the month in the form prescribed."

29. After Appendix B, the following shall be added as Appendix B.B., namely:—

"APPENDIX B.B.

Rules relating to part-time appointments—

Part-time Professors and Assistant Professors of the Law College—

(*a*) Salary or remuneration is payable for all the twelve months of the year including holidays.

(*b*) The part-time Professors or Assistant Professors who are in receipt of salary or remuneration shall, in addition to handling classes, set question papers, do invigilation work and value the answer papers of all examinations including annual examinations.

(*c*) They should, in addition, attend to any legitimate work connected with the College as may be entrusted to them by the Principal of the College.

(*d*) They shall be entitled to only casual leave of 15 days per annum and to no other kind of leave."

30. (1) In Appendix J for item No. 7, the following item shall be substituted, namely:—

"7. The Controller, State Accounts Department, Bangalore."

(2) After item No. 43, the following item shall be inserted, namely:—

"44. The Secretary, Mysore Legislature."

31. (1) The following shall be added as an Exception to Rule 5 (*a*) of Appendix 'L', namely:—

"*Exception.*—All applications for commutation of pensions shall be made in the prescribed form, and addressed to the Accountant-General in the first instance.

The Accountant-General will scrutinise the applications, take necessary further action in the matter, and dispose of all cases relating to Non-Gazetted Officers where the claims are clearly admissible under the rules.

The cases of Gazetted Officers and such other cases that may require sanction of Government may be forwarded to Government for orders along with the medical reports."

(2) The following shall be added as an Exception to Rule 9, namely:—

"*Exception.*—The medical certificate suggested in Rules 8 and 9 above will suffice in the case of a person who is granted an invalid pension

otherwise than under Article 289, as in the case of inferior servants who are not entitled to superannuation or retiring pension under Article 321 (*b*) and the constables retired from service under Note to Article 291 and a certificate from a Medical Board need not therefore be insisted upon in such cases."

32. The following shall be added to the list in Appendix 'O', namely:—

"Director of Printing, Stationery and Publications."

The following shall be substituted for Sl. No. 27 namely:—

"Chief Secretary to Government for Gazetted and Non-Gazetted staff of General and Revenue Secretariat."

The words "Municipal Commissioner, City Municipal Council, Mysore", shall be substituted for the words "President, Mysore City Municipal Council".

The words "Controller, State Accounts Department" shall be substituted further for the words "Examiner, Local Fund Accounts".

33. For Clause 7 of the rules in Appendix 'Q' the following clause shall be substituted, namely:—

"7. If the amount of a compassionate gratuity is less than Rs. 1,000, it will be paid in one instalment and if it is Rs. 1,000 or more, it will be converted into an Income Policy, the term of the annuity payable being left to the option of the payee, subject, however, to the condition that the term elected should not be less than ten years.

In cases where the compassionate gratuity admissible is less than Rs. 1,000, the Heads of Departments specified in Appendix 'O' will sanction the compassionate gratuity and while forwarding the compassionate gratuity papers to the Accountant-General record their sanction as under:—

Compassionate gratuity admissible under the rules is sanctioned.

The Accountant-General will authorise the payment of the amount after due verification.

In cases where the admissible amount of compassionate gratuity exceeds Rs. 1,000, the Heads of Departments will send the compassionate gratuity papers to the Accountant-General who will forward them for sanction to Government certifying the amount admissible."

By Order and in the name of Rajpramukh,

M. SHAMANNA,

Secretary to Government,

Finance Department.